



VIA EMAIL

May 17, 2023

Jeremy Comeau
Assistant General Counsel
Indiana Utility Regulatory Commission
402 W. Washington St., Rm. W072
Indianapolis, IN 46204

Re: LSA Document #23-359/Economic Impact Statement

Dear Mr. Comeau,

Pursuant to Indiana Code 4-22, as the Small Business Ombudsman for the state of Indiana, I have reviewed the proposed rule and economic impact statement associated with the rule changes contained in LSA Document #22-359 (proposed rule) proposed by the Indiana Utility Regulatory Commission (IURC or Commission) and its Pipeline Safety Division (PSD), and found the following to be true.

Proposed rule LSA #22-359 seeks to further the statutory directive found in Indiana Code § 8-1-26 for the PSD to ensure safe measures are taken when dealing with underground facilities, with a focus on natural gas pipelines. The proposed rule appears to accomplish this through clarity of rules related to any and all excavation activities, updated communications methods and requirements, a publicly available penalty schedule and underground plant protection account information, and Commission flexibility when receiving Underground Plant Protection Advisory Committee recommendations. The proposed rule change appears to be done so in the least stringent and most efficient way possible, which is supported by the regulatory flexibility analysis provided in the IURC's economic impact statement. Additionally, the proposed rule appears to have a minimal, if any, impact to small businesses across the state of Indiana while continuing to uphold safety regulations centered around Indiana's 811 law. In fact, the proposed rules may be beneficial to small business across Indiana.

Based upon this review, the Indiana Small Business Ombudsman supports the proposed rule related to the economic impact of small business if the IURC and PSD conclusion reflects the actual result after promulgation. If there are any questions about these comments, please contact me at majaworowski@iedc.in.gov.

Sincerely,
Matt Jaworowski
Small Business Ombudsman
Manager, Interagency Affairs
Indiana Economic Development Corporation